Report of the Governor's Task Force on Childproof Guns

December 1, 1999

Parris N. Glendening, Governor
Kathleen Kennedy Townsend, Lt. Governor

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William Harrison, Chief of Police, Town of Capitol Heights, Vice Chair

Douglas F. Gansler, State's Attorney, Montgomery County, Vice Chair

Senator Walter M. Baker, Chairman, Senate Judicial Proceedings Committee, Caroline, Cecil, Kent, Queen Anne's and Talbot Counties (Senate nominee)

Senator Jennie M. Forehand, Member, Senate Judicial Proceedings Committee, Montgomery County (Senate nominee)

Delegate Ann Marie Doory, Vice Chair, House Judiciary Committee, Baltimore City (House nominee)

Delegate Thomas E. Hutchins, Member, House Judiciary Committee, Charles County (House nominee)

Stuart O. Simms, Secretary, Department of Public Safety and Correctional Services

Gilberto de Jesus, Secretary, Department of Juvenile Justice

Georges C. Benjamin, M.D., Secretary, Department of Health and Mental Hygiene

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James V. Aluisi, Former Sheriff, Prince George's County (interest and expertise)

Patricia A. Foerster, Vice-President, Maryland State Teachers Association (interest and expertise)

Neil A. Meyerhoff, Esquire, President, Board of Marylanders Against Handgun Abuse (interest and expertise)

Joan K. Paik, Past President, League of Women Voters of Maryland (interest and expertise)

Stephen P. Teret, Esquire, Director, Johns Hopkins University Center for Gun Policy and Research (interest and expertise)

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THE GOVERNOR'S TASK FORCE ON CHILDPROOF GUNS

SUBCOMMITTEE ON TECHNOLOGY

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Mr. James V. Aluisi
Mr. Stephen P. Teret
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Mr. Neil A. Meyerhoff
Ms. Wilma Welch
Reverend Dr. Douglas Wilson
Senator Jennie M. Forehand

THE GOVERNOR'S TASK FORCE ON CHILDPROOF GUNS

I. Background

Governor Parris N. Glendening established the Governor's Task Force on Childproof Guns ("Task Force") by Executive Order on June 5, 1999. See Attachment 1 for the text of the Executive Order.[1] Noting that "young people aged 15-24 have the highest risk of dying from firearm-related injuries" and that the shooting sprees gripping the nation have reinforced the need for responsible intervention, Governor Glendening charged the Task Force to propose legislation to prevent the unintentional and criminal misuse of handguns by children and other unauthorized users. Governor Glendening advised the Task Force that the legislative proposal could include, but was not limited to, design alterations and technological enhancements. Governor Glendening further advised that the Task Force could convene public hearings and consult with interested parties to best meet its charge.

The Task Force consisted of 21 members including the Secretary of Public Safety and Correctional Services, Secretary of Juvenile Justice, Superintendent of the Maryland State Police, Secretary of Health and Mental Hygiene and the Special Secretary for the Governor's Office of Children, Youth and Families. The membership also included representatives from the Senate, House of Delegates, law enforcement and the health care profession, as well as people with relevant interest and expertise from the religious community, education community, advocacy organizations and the general public. Governor Glendening named Colonel David B. Mitchell as chair of the Task Force and Capitol Heights Police Chief William Harrison and Montgomery County State's Attorney Douglas F. Gansler as vice-chairs of the Task Force. See page i for a complete listing of the members of the Task Force.

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[1]By the same Executive Order, Governor Glendening directed that all State law enforcement officers be immediately provided with a locking device to make their guns inoperable while stored in the home. The Governor also directed Maryland State Police to prepare and distribute to all State law enforcement agencies a policy governing the use of the issued locking device. That policy could also serve as a model for local law enforcement agencies.

II. The Work of the Task Force

A. Task Force Meetings

The Task Force convened six meetings between August and the end of November 1999. The meetings averaged two and a half hours in length and were open to the public.

The Governor opened the first meeting, held on August 27, 1999, by discussing the Task Force's charge. The Governor challenged the Task Force to build upon the remarkable results of the 1996 Gun Violence Act, which grew out of the 1995 report of the Governor's Commission on Gun Violence. The Governor directed the Task Force to develop "specific, realistic and aggressive" proposals for introducing childproof guns in Maryland. The Governor also encouraged the Task Force to consider other options for reducing the danger to our children posed by guns.

The Chair established three subcommittees to review the social impact of gun violence, the health impact of gun violence and childproof gun technology. He appointed the subcommittee chairs and assigned each Task Force member to one of the committees. The Task Force then discussed the time and place of future meetings and public hearings and who would be presenting to the Task Force at those future meetings.

At the second meeting, held on September 7, 1999, the Task Force heard five presentations. Mr. David Boyd, Director of the Office of Science and Technology at the National Institute of Justice (NIJ), discussed the research and development of Smart Guns. The Task Force members were provided with a copy of NIJ's February 1996 report, *Smart Gun Technology Project Final Report.* Mr. Boyd stated that Smart Guns could be available for law enforcement use within two to four years and for civilian use within one year.

Ms. Virginia Wolf, Executive Director of Marylanders Against Handgun Abuse (MAHA), addressed the tragedy of young children finding loaded guns and accidently killing themselves or other children, and of older children using non-personalized guns to commit suicide. She criticized as ineffective the National Rifle Association's (NRA) gun safety educational programs targeting children.

Mr. Stephen Teret, Director of Johns Hopkins University Center for Gun Policy and Research, provided a history of childproof guns, beginning with Smith & Wesson's model in the 1880's. He stressed the prevalence of gun suicides by teenagers. Lt. Colonel David Czorapinski, Bureau Chief of the Support Services Bureau for the Maryland State Police, informed the Task Force of childproof gun legislation proposed in the New Jersey General Assembly. The final speaker, Captain Thomas Bowers, Director of the Crime Gun Enforcement Unit for the Maryland State Police, presented statistics on gun sales and firearm crimes in Maryland. See Attachment 2 setting forth these statistics.

At the third meeting, held on September 27, 1999, the Task Force heard four presentations. The first presentation was given by Beretta USA Corporation, represented by Mr. Gabriele DePlano, Product Design Manager, Mr. Gerry Evans, Esquire and Mr. John Stierhoff, Esquire. Mr. Stierhoff provided a brief history of Beretta USA. He informed the Task Force that the major firearm manufacturers, including Beretta USA, agreed in October 1997 to begin shipping locks with all new handguns by the end of 1998. Ninety percent of guns today are covered by this agreement.

Mr. DePlano reviewed the advantages and disadvantages of trigger locks, safes, cable locks, chamber barrel locks, mechanical internal locks and fingerprint identification locks. He expressed concern that defining a firearm as childproof could lead people to become more lax in their storage procedures. It is Beretta's opinion that all firearms stored at home should be locked up and unloaded with the ammunition kept in a separate location. Beretta opposes legislation that would mandate personalized gun technology. Beretta does not believe technology exists that would be safe and reliable for members of the general public and the law enforcement community.

Mr. Greg Costas, Eastern Region Representative for the NRA, made the second presentation. Mr. Costas stated that most of the NRA's efforts are spent on education and training. The NRA favors the voluntary use of trigger locks and gun safes. The NRA does not oppose the development of childproof guns, but does oppose the mandatory use of childproof gun technology. Mr. Costas discussed the "Eddie Eagle Program," which is designed to teach young children about gun safety. See Attachment 3 for literature explaining this program. The NRA encourages everyone to

receive training upon purchase of a firearm but does not support mandatory training.

Mr. Sandy Abrams, Vice President of the Maryland Licensed Firearms Dealers Association (MLFDA), spoke third. He noted MLFDA's opposition to legislation mandating childproof guns. Mr. Abrams stated that there are currently about 300-350 licensed firearms dealers in the State and warned that they would be adversely affected by childproof gun legislation. He further stated that limiting handgun sales would affect more than 3,000 people in the State. Mr. Abrams estimated that at a minimum, it would take five years for federal testing of safe gun technology, eight years for police use and ten to twelve years for civilian use.

The Task Force also heard from Mr. Chris Conte, Legislative Affairs Chairman for the Maryland Division of the Isaak Walton League. Mr. Conte cautioned that the Task Force and the public should not substitute technology for safety. No amount of technology, in his view, will overcome criminal misuse of firearms.

At the fourth Task Force meeting, held on November 9, 1999, Mr. Frank Brooks, President of Saf T Lok, Inc., provided a written and oral presentation to the Task Force. He also distributed samples of mechanical locks that require a combination to deactivate the lock. See Attachment 4 for a list of law enforcement agencies that have adopted Saf T Lok products. The Task Force also watched the *60 Minutes II* report from November 3, 1999 on personalized gun technology. In that televised report, a microchip designer stated that electronic technology could be available within months. A fingerprint technology expert stated that contingent on necessary funding, a prototype containing fingerprint technology could be available within one year and could be mass produced within two years. A representative from Smith & Wesson stated that his company is working on personalized gun technology.

The Task Force thereafter held work sessions on November 18, 1999 and November 29, 1999 to discuss and debate the information presented. In line with the Governor's direction that the Task Force not feel restrained in its recommendations to him, the Task Force arrived at the recommendations detailed in section III of this report.

B. Public Hearings

The Task Force convened five public hearings in the months of October and November. The hearings were held at:

Hagerstown Community College, Hagerstown, on October 5, 1999.
University Medical System, Baltimore, on October 12, 1999.
Chesapeake College, Wye Mills, on October 18, 1999.
Thomas Stone High School, Waldorf, on October 26, 1999.
University of Maryland at College Park, College Park, on November 8, 1999.

Each hearing was two and a half hours in length. The Task Force heard from more than 150 citizens who voiced their opinion on the need for childproof gun legislation, recommended changes to current gun law and suggested other ways to reduce gun-related injuries and death.

Attorney General Joseph Curran discussed his October 20, 1999 report, *A Farewell to Arms,* at the College Park public hearing. He provided copies of his report to members of the Task Force. The Attorney General declared his support for enacting legislation immediately that sets forth a requirement, to be phased in over the next few years, for all handguns sold in Maryland to be capable of being fired by authorized users only. In his call for increased gun control, the Attorney General proposed among other measures that "we should repeal the statute barring the imposition of strict liability for firearm injury and enact a strict liability law ensuring Marylanders the right to hold the gun industry accountable" for the production of unreasonably dangerous guns.[2] The Attorney General explained, "Marylanders should be permitted to persuade the courts that any gun without a child-proof design or personalization technology is unreasonably dangerous, for a child's misuse of a gun or a criminal's use of a stolen gun are certainly foreseeable."[3]

During his testimony at the public hearing, the Attorney General suggested how to implement a childproof gun requirement. He urged the Task Force to consider imposing a "public safety assessment" on every gun

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[2] *A Farewell to Arms*, at 56.

[3] *Id.*

sold in Maryland after a certain date that does not contain personalized technology. The assessment would go into a fund to pay the costs of gun violence. The Attorney General noted that states have taken a similar approach in the tobacco context, where an assessment is paid for every cigarette sold by companies not abiding by the advertising restrictions and other guidelines of the tobacco settlement.

C. Task Force Subcommittees

The Chair directed the three subcommittees to gather information and propose recommendations for consideration by the Task Force. The subcommittees met regularly and on November 9, 1999, reported their findings to the Task Force. The subcommittees' work and their reported findings and proposed recommendations are outlined below. See page iv to identify the members of each subcommittee.

1. Subcommittee on Community and Social Impact: Chair, Mr. Gilberto de Jesus, Secretary, Department of Juvenile Justice

This subcommittee was directed to investigate the effect of gun violence on the community, including its effect on education, religious practice and commerce. The subcommittee was also directed to report on what communities have done to combat gun violence.

The subcommittee cited the shootings at Columbine High School in Colorado and Jonesboro Middle School in Arkansas. These incidents, the subcommittee noted, demonstrate the profound effect that gun violence has had on schools throughout the country. Even though many of our children are far safer in school than they are on our streets, the perception of potential violence in our schools is now deeply ingrained. Parents, teachers and students harbor a lingering suspicion that a shooting massacre could erupt in the classroom at any moment. Responding to incidents of gun violence, school systems across the country and in Maryland have been compelled to enhance security measures by adding more police officers in the corridors of middle and high schools and installing cameras in stairwells and hallways. As a way to curtail gun violence among students, some school systems have also implemented

programs that strive to create an environment that appreciates diversity and encourages cooperation and tolerance. [4]

Regarding faith communities, the subcommittee noted that fear of violence often leads to a decrease in attendance at services, especially in the evening hours. The subcommittee reported that many churches have found it necessary to escort parishioners to their cars to insure safety. Likewise, other congregations lock their doors and appoint security agents to admit those who wish to attend services. Faith communities are also deeply affected by the increase in the number of funerals performed for the victims of gun violence, especially when those victims are children.

Maryland's Executive and Legislative branches have responded to the epidemic of gun violence with laws and programs to strengthen gun control and law enforcement efforts.[5] Neighborhoods have responded by forming Citizens on Patrol and Neighborhood Watch groups that patrol local areas and alert police to any signs of disturbance. In addition, colleges and downtown areas frequently utilize individuals to escort students, tourists, office workers, and others to their cars or destination. Homeowners across the State have bought home security devices and car alarms to help deter possible violence to themselves and loved ones. In urban areas, citizens have complained of their inability to sit outside in the evening and enjoy the friendliness of neighbors. Increasingly, guns are part of the "road rage" phenomenon.[6] The presence of guns escalates heated arguments and fist fights into gun fights – and gun deaths.

The business community has likewise been affected by the threat of violence. Panels of clear plastic or glass have been installed in taxicabs to prevent drivers from the potential gun-wielding robber. Bullet proof glass has been installed in many retail establishments. Other businesses have

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[4]For a summary of measures that the State is taking through the Safe Schools Initiative, see Attachment 5.

[5]For a summary of these efforts see Attachment 6.

[6]For a recent example, see Alan Sipress, *Oh My God, I Can't Believe I Shot Her*, Washington Post, November 16, 1999, at A1. The article details how one driver fatally shot another driver in the face after engaging in road rage.

either curtailed their activity to daylight hours or closed their businesses *entirely due to the threat of gun violence.*

The subcommittee noted that guns are legitimately used for hunting, law enforcement and security. In some communities, sporting and hunting groups embrace gun safety measures. They teach the proper and safe handling of firearms. Unfortunately, however, according to a national survey,[7] more than 50% of all privately owned firearms are stored unlocked. Twenty percent of all gun owning households keep an unlocked, loaded gun in the home. Responsible gun use is praiseworthy, but these statistics demonstrate that it is not the norm.

The subcommittee concluded that while childproof gun legislation cannot prevent all deaths caused by gun violence, such legislation recognizes that a handgun is a potentially lethal weapon that requires safety regulation for the good of the entire community. Legislation mandating personalized handguns would save lives and reduce the fear of gun violence that permeates our neighborhoods, schools, commercial establishments and places of worship. Handgun violence knows *no* boundaries of age, race, gender, religion, socioeconomic status or geographic residence. It intrudes on the quality of life in all our communities. Guns can be made safer. With this legislation, Maryland will lead the way in adopting a reasoned and effective approach to gun violence.

2. Subcommittee on Health Impact: Chair, Dr. Georges Benjamin, Secretary, Department of Health and Mental Hygiene

This subcommittee was directed to investigate the medical consequences and health care costs of treating gun violence, and to provide the Task Force with statistics on these costs as well as the number of firearm-related injuries and deaths. The subcommittee was also directed to project the number of injuries and deaths that could be prevented and the money that could be saved with passage of childproof gun legislation.

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[7]Cook, P. & Ludwig, J., *Guns in America: National Survey on Private Ownership and Use of Firearms*, NIJ Research in Brief (May 1997).

The subcommittee held two meetings that included presentations from representatives of the Johns Hopkins University Center for Gun Policy and Research, the Office of the Chief Medical Examiner and the Department of Health and Mental Hygiene (DHMH) Office of Injury Prevention.

The subcommittee provided the following statistics from the *Firearm-Related Mortality in Maryland, 1976-1999* report prepared by DHMH in 1997[8]:

- Firearm-related injuries are the leading cause of injury and death in Maryland, exceeding the number of deaths due to motor vehicle injuries.

- Marylanders from age 15-24 have the highest risk of dying from firearm-related injuries. This risk has increased by 17% from 29.5/100,000 in 1991 to 34.1/100,000 in 1996.

- From 1991 to 1996, on average fourteen deaths per year were among children under the age of 15.

- From 1991 to 1996, males comprised nearly 88% of all firearm-related deaths.

- From 1991 to 1996, on average African Americans were at greatest risk of dying from a firearm related injury, at a rate of 31/100,000 compared to Caucasians with a risk of 8.3/100,000.

- In 1995, handguns were the weapons of choice in 92% of all firearm-related murders.

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[8]The report on *Pediatric Firearm Deaths in Maryland 1990 - 1998*, published by the Office of the Chief Medical Examiner, State of Maryland, is reprinted at Attachment 7. Selected graphs and charts from DHMH's report *Firearm-Related Mortality in Maryland, 1976 - 1999* and from materials supplied by the University of Maryland Medical System, Shock Trauma Center are reprinted as Attachment 8.

- In 1996 suicide accounted for 36% of all firearm-related deaths and homicide for 61%. The remaining 3% was attributed to accidental or undetermined causes.

- In 1997, there were 734 firearm-related deaths in Maryland; nine of the victims were under the age of 15. Also in 1997, there were 184 deaths due to firearms among 15-24 year olds.

- Every county in Maryland has been impacted by firearm-related deaths. Baltimore City, Prince George's County, Baltimore County, Montgomery County and Anne Arundel County are the top five ranking counties.

A recent study confirms prior findings that the purchase of a handgun is associated with an increased risk of suicide. The study found that in the first year after the purchase of a handgun, suicide was the leading cause of death for handgun purchasers, accounting for nearly a quarter of all deaths and more than half of all deaths among women 21 to 44 years old.[9]

The subcommittee also provided the following statistics regarding the medical consequences and health care costs of treating firearm-related injuries:

- Over two thousand Marylanders suffer non-fatal firearm-related injuries each year.[10]

- In 1998, 1,094 patients were admitted to Maryland hospitals for gun-related injuries.[11]

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[9]Garen J. Wintemute, M.D., M.P.H. et al., *Mortality among Recent Purchasers of Handguns*, 341 New Eng. J. Med. 1583 (1999).

[10]Maryland Department of Health and Mental Hygiene, Office of Injury and Disability Prevention; *Firearm-Related Mortality in Maryland, 1976-1999* (June 1997).

[11]*Id.*

- In 1998, the cost for firearm-related hospitalizations in Maryland was $1.6 million. This direct cost equaled $12,400 per patient.[12]

- At Maryland Shock Trauma Center, 75% of the patients treated with firearm-related injuries were not covered by medical insurance.[13]

- Overall in Maryland, more than one-in-four of all victims of firearm-related injuries were enrolled in Medicare or Medicaid. The cost for their care including hospitalization, treatment and rehabilitation is estimated at $4.6 million.[14]

- In Maryland, the cost of direct medical spending, emergency services and claims processing for victims of firearm-related injuries exceeds $40 million annually.[15]

- Lost productivity increases these costs to over $81 million per year for survivors of firearm-related injuries.[16]

The subcommittee noted that Maryland has reduced motor vehicle death, head injury and childhood poisoning by mandating preventive measures. The subcommittee concluded that a significant reduction in death and disability would result from making guns safer. The subcommittee recommended that the Task Force's legislative proposal require a firearm surveillance system that tracks the medical consequences and health care costs of firearm injury. Similar surveillance systems have been used to track other causes of injury and diseases. This data would

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[12]Johns Hopkins Center for Gun Policy and Research, *Fact Sheet on Gun Injury and Policy* (October 1999).

[13]Maryland Health Service Cost Review Commission, *Live Hospital Discharge Date, 1993-1994.*

[14]*Id.*

[15]*Id.*

[16]The National Center for Injury Prevention and Control (CDC, 1997).

provide DHMH and the medical community with a valuable tool to devise ways to reduce firearm injuries.

As part of the State's Early and Periodic Screening Diagnostic and Treatment Program, pediatricians who see children receiving medicaid and other medical assistance are required to counsel parents about a variety of issues relating to children's health. Part of this counseling includes questioning parents about their firearms safety practices. The subcommittee encouraged all physicians who treat children to ask firearms safety questions as part of children's regular doctor visits.

3. Technology Subcommittee: Chair, Mr. Stuart Simms, Secretary, Department of Public Safety and Correctional Services

This subcommittee was directed to research current childproof gun technologies, including the anticipated time frame for mass producing these technologies and the cost of these technologies. Based on its research, the subcommittee was asked to define "childproof guns" for purposes of the Task Force's legislative proposal and recommend a time frame for implementation of childproof gun legislation.

The Technology Subcommittee met on five occasions. It reviewed various technologies and interviewed private sector and government experts on firearm operations and safety. Below is a summary of the subcommittee's findings on the various personalized gun technologies. See Attachment 9 for Johns Hopkins Center for Gun Policy and Research's review of the features and availability of the safety devices summarized below.

EQUIPMENT	DESCRIPTION & DEPLOYMENT	APPROXIMATE COST	ADVANTAGES	DISADVANTAGES
A. Manual Safety Devices	Grip Safety	Standard	Manufacturer Installed	
	Trigger Locks	$ 6.00	Incapacitates Gun	Requires Owner's Action
	Pad Locks	$ 10.00	Incapacitates Gun	Requires Owner's Action
	Safety on Gun	Included	Incapacitates Gun	Requires Owner's Action
	Saf-T-Lok	$ 90.00	Incapacitates Gun	Requires Owner's Action
	Magna Trigger	$ 75.00	Incapacitates Gun	Requires Owner's Action
	Electromagnetic Lock	$150.00	Incapacitates Gun	Requires Owner's Action
B. Electronic Safety Devices	Palm Print Recognition		Personalized Gun	Power Source
	Fingerprint Recognition		Personalized Gun	Batteries
	Touch Memory (ring with chip with reader in gun handle)		Personalized Gun	Batteries
	Radio Frequency ID		Personalized Gun	Batteries
	Bar Coding		Personalized Gun	Batteries
	Remote Control		Personalized Gun	Batteries
	Voice Recognition		Personalized Gun	Batteries

Based on testimony at the public hearings as well as various articles outlining the health care costs of treating gun-related injuries, the subcommittee found that the development of a child resistant, user restricted weapon was in the public's interest. The subcommittee believed there should be a statute mandating a user restricted gun. The subcommittee concluded that such a mandate should be implemented as soon as possible and encouraged the continued research and development of electronic locking and child resistant devices, which reduce the likelihood that children will use firearms in accidental shootings, homicides

and suicides. The subcommittee recognized that all of its recommendations would not be immediately feasible, and therefore it suggested a multi-phased implementation program.

The Technology Subcommittee made the following recommendations:

User Restricted Handguns

- Clearly exclude existing handguns, rifles, and interpersonal sales from the mandate.

- Do not include penalties in the statute for illegal sales or possession for non-user restricted handguns.

- Impose an interim standard requiring a user restricted gun with an integrated locking device consisting of a mechanical device, key or safety lever combination by January 1, 2002, which prevents the firearm from being discharged without first activating or removing the locking devices. If possible, the integrated locking device should include an automatic locking feature.

- Mandate that a person may not sell a new handgun manufactured after January 1, 2005 unless it is a user restricted handgun, if commercially available in commerce, by January 1, 2005.

Training

- Have the Police Training Commission and the Department of Natural Resources develop standards for gun safety training.

- Certify a safety course for adult purchasers by January 1, 2002.

- Reduce State licensing fees for those completing the gun safety course.

Continued Vigorous Law Enforcement [17]

- Continue participation in the federal DISARM Program.

  Vigorous prosecution of those who would use firearms, even merely possessing a gun, during a federal felony, leads to long prison sentences.

- Increase support for State Gun Enforcement Programs.

  Baltimore City's Firearms Investigation and Violence Enforcement Unit has six attorneys prosecuting non-fatal shooting cases as major offenses, including handgun straw purchases and possession/use of a handgun.

Additional Funding for Smart Gun Development

- Seek Congressional support for federal funding of research and development of user restricted handguns.

- Seek a legislative resolution for similar State funding.

- Seek industry association support for research and development in this area.

- Solicit the assistance of any Maryland professional school or institute of higher education in the development and evaluation of safety technology.

Tax Credits

- Encourage the purchase of gun safes/vaults.

- Encourage the purchase and use of locking devices for all guns.

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[17]See Attachment 6 for a summary of existing gun control and law enforcement efforts.

- Implement a tax credit in 2001 and 2002 and the foreseeable future for any entity engaging in research and development for user restricted gun technology.

III. Task Force Recommendations

1. *Require that a person may not sell or offer for sale in this State a handgun manufactured after January 1, 2003 unless it is manufactured with incorporated design technology allowing the handgun to be fired only by authorized users, if such technology is commercially available.* (Motion to change implementation date passed 10-5)

Discussion: This legislation would require that all handguns sold after January 1, 2003 incorporate technology that restricts a gun's use to its owner or other users authorized by the owner. Such technology makes the gun inoperable (i.e., passive) when not activated by the authorized users.

This legislation would reduce the number of accidental shootings and make it less likely for an emotionally upset teenager to end his or her life or someone else's in an impulsive and irreversible act. Moreover, requiring user restricted gun technology would help to prevent murders with stolen guns and reduce the number of stolen guns being sold in the secondary market.

The Task Force recognizes that technology for user restricted handguns is still developing but believes that mandating such technology will accelerate its development. Although the Technology Subcommittee recommended an implementation date of January 1, 2005, upon successful motion, the date was changed to January 1, 2003. Those supporting a 2003 implementation date felt that the technology is not five years away and noted that three prototypes have already been constructed. They also observed that Colt recently created a subsidiary (I-Colt) for the express purpose of conducting research and development of "Smart Gun"

technology. There was also a belief that an earlier mandate had the potential to save more lives.

Those members who supported the 2005 date voiced concern that the technology would not be fully ready to market by 2003. They noted that a period of years would likely be necessary to assure reliability of user restricted technology. Thus, the date would have to be changed.

The Task Force also discussed who would make the determination whether the technology was commercially available. A motion to add "reliable and commercially available and approved by the Handgun Roster Board" failed.

2. *In the interim, require that by January 1, 2002 any new handgun sold in Maryland be equipped with an integrated mechanical safety device to prevent children and other unauthorized users from firing the handgun.* (Passed 13 to 1)

Discussion: Because personalized gun technology is not immediately available, the Task Force believes an interim standard requiring the sale of safer handguns is necessary. This interim standard requires an integrated-locking device, which prevents the firearm from being discharged without first activating or removing the locking device. It was observed that these integrated-locking devices make the handgun personalized in the sense that to activate the gun for use requires some action by the owner such as entering the right combination. Maryland would be the first state to require that trigger locks be built into the handgun.

3. *Call for a legislative resolution seeking continued federal funding for development of user restricted gun technology and consider tax credits or grants on the State and federal level for anyone conducting personalized gun research and development.* (Passed unanimously)

Discussion: The Task Force recognizes that much of Colt's progress on developing personalized gun technology was achieved

after it received a $500,000 grant from the federal government. Additional federal support is warranted because of the great potential this technology has to reduce the incidence of gun violence and the enormous accompanying medical costs. The Task Force also urges that tax credits or grants be extended to any entity engaging in personalized gun research and development, not just to those who manufacture firearms.

4. *Give tax credits starting in tax year 2000 to encourage the purchase of gun safes/vaults and locking devices for all firearms.* (Passed unanimously)

Discussion: Tax credits will encourage gun owners to use these safety measures. A motion to change the language "locking device" to "integrated mechanical safety device" failed.

5. *Amend the Application to Purchase a Regulated Firearm (form 77R) to provide the purchaser the following warning: "Children can operate firearms which can cause severe injury or death. By law, you must prevent access by minors to loaded firearms. If a minor obtains and improperly uses your firearm, you may be fined up to $1,000."* (Passed unanimously)

Discussion: At the public hearings, numerous citizens reminded the Task Force that many tragic accidents involving children could have been prevented if the gun owner had taken proper precautions. A warning on the required application to purchase a firearm will highlight the gun owner's responsibility under Article 27 of the Annotated Code of Maryland, § 36K to store the firearm in a manner that prevents an unsupervised minor from gaining access to it.[18] The warning will also put the gun owner on notice of the penalty for violation of the law.

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[18]A copy of Article 27, §36K is Attachment 10.

6. *Enhance existing gun laws to protect children.* (No vote taken)

Discussion: Some of the existing criminal laws may be amended to enhance protection for children from gun violence. The Task Force decided not to give specific recommendations to the Governor but to allow the Governor's legislative staff to make the decisions on any enhancement of the current gun laws.

7. *Provide continued vigorous law enforcement and support for programs such as the Federal DISARM Program, the Maryland State Police Firearms Investigation Unit and Baltimore City's Firearms Investigation and Violence Enforcement Unit.* (Passed unanimously)

Discussion: The Task Force recognizes that strengthened gun control is not the only way to combat gun violence. Many citizens urged that Maryland adopt a law enforcement program used in Richmond, Virginia called "Project Exile." This program uses federal law to convict felons for possession of a handgun. Under federal law, convicted felons are prohibited from mere possession. Conviction of a federal gun crime carries a mandatory five year sentence. The crime rate in Richmond has been cut almost in half since Project Exile began in 1997.

Maryland citizens should be pleased to learn that the State has had a similar program in effect since 1994. Under the DISARM program, the U.S. Attorney's Office reviews the criminal history of anyone arrested with a handgun. Any person who has a previous felony conviction for a violent crime or drug trafficking is eligible to be tried in federal court. Law enforcement officials have also made a concerted effort to make it known that a felon caught with a handgun risks time in federal prison. Since 1994, homicides in Baltimore City's worst police precinct, where the DISARM program has been in use, have declined 46 percent. Approximately 250 cases have been adopted federally through the program, and the average sentence upon conviction is more than 8 years in prison. See Attachment 11 for a graph depicting

the number of cases adopted federally through the program. The U.S. Attorney has recently expanded DISARM to other Maryland jurisdictions.

In addition, the Baltimore City State's Attorney has created a special gun enforcement unit. Under Maryland law, using a handgun in commission of a felony or crime of violence carries a mandatory minimum five year no parole sentence. See Article 27, § 36B(d). Since late 1997, the Baltimore City gun enforcement unit has secured some 205 convictions under this law.

8. *Prohibit any person who as a juvenile has been found to have committed a violent delinquent act from possessing firearms until age 30, but in no event may such a person possess a handgun within 10 years of any adult misdemeanor or felony conviction obtained before age 30.* (Passed 12 to 0 with 1 abstention)

Discussion: Studies have shown that juveniles with arrest records have an increased likelihood of future criminal activity as adults.[19] A person who has committed a violent act as a juvenile should be denied the right to possess a firearm as an adult until that person has demonstrated an ability as a young adult to remain crime-free for a sufficient period of time.

9. *Require that all guns confiscated by law enforcement agencies in the State be destroyed and prohibit the sale, barter or exchange of duty weapons.* (Passed 8 to 2 with 3 abstentions)

Discussion: Recently, it was discovered that numerous confiscated or outdated guns that are placed back into the consumer market by police departments (usually through trade-ins with dealers and manufacturers) are used to commit crimes. As a matter of public policy, law enforcement

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[19]See Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, *Guide for Implementing the Comprehensive Strategy for Serious, Violent and Chronic Juvenile Offenders* (1995).

agencies should not be placing guns back into the community.

The Task Force recognizes that many cash strapped police departments exchange seized guns and old duty weapons in order to purchase much needed upgraded weapons for officers. A concern was raised that local jurisdictions would suffer a fiscal impact if this practice is prohibited. Another concern raised was that the Task Force did not have sufficient information about this practice to make a recommendation.

10. *Require ballistics fingerprinting of all new handguns prior to sale.* (Passed unanimously)

Discussion: Giving law enforcement agencies the ballistic fingerprint of every handgun sold in Maryland will greatly assist the police in linking a particular handgun to a crime. Requiring ballistics fingerprinting of all new handguns will allow law enforcement to determine whether any of those guns are used in crimes. It was noted that the technology to match ballistic tracings of guns and crime scene evidence already exists and is currently used by the Maryland State Police. A concern was raised about the fiscal impact.

11. *Require the Police Training Commission in conjunction with the Department of Natural Resources, Natural Resources Police Force and private sector organizations to develop standards for safe gun use, and require by January 1, 2002 all gun purchasers to submit evidence of certified firearms safety training.* (Passed unanimously)

Discussion: A consistent theme heard in the public hearings was that training in the proper handling of a firearm will greatly reduce the number of gun-related accidents. Many law-abiding gun owners place a priority on using necessary safety precautions when using a firearm. These practices should be followed by every gun owner.

12. *Recommend a firearm surveillance system that tracks the medical consequences and health care costs of firearm injury.* (Passed unanimously)

Discussion: Public health surveillance is conducted on many diseases and causes of injury affecting children such as measles, burns and bicycle injuries. As the American Academy of Pediatricians has stated, this information is critical to the medical community's prevention efforts.

According to the Center for Disease Control, the rate of firearm death for children age 0 to 14 is nearly twelve times higher in the United States than in 25 other industrialized nations combined. In 1995, 440 young people age 19 and under were unintentionally killed with guns. For every child killed, four are wounded.[20]

The collection of this data is an important step toward preventing further pediatric firearm injuries and deaths.

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[20]See Teret, S., et al., *Making Guns Safer*, Issues in Science and Technology (Summer 1998).

Attachments

Attachment 1

The State of Maryland

Executive Department

EXECUTIVE ORDER

01.01.1999.18

Governor's Task Force on Childproof Guns

WHEREAS, There are approximately 100 gun-related deaths across the Nation each day and, for children between the age of 10-14, firearms are the second leading cause of death;

WHEREAS, Firearms are the leading cause of injury-related deaths in Maryland, and young people aged 15-24 have the highest risk of dying from firearm-related injuries;

WHEREAS, The proliferation of guns and their accessibility to children have caused an increase in the occurrence of gun-related tragedies in our Nation's schools;

WHEREAS, There were 73 gun-related incidents reported in Maryland's public schools during the 1996-1997 school year;

WHEREAS, The Administration is committed to ensuring the safety of our children, the quality of life for all Marylanders and the reduction of gun-related injuries and deaths;

WHEREAS, The Administration has implemented a comprehensive and balanced strategy to reduce gun violence encompassing a wide range of initiatives, including: aggressive enforcement of one of the toughest gun laws in the Nation; more prison space to house violent criminals who use guns; targeting of 36 high-crime HotSpot Communities across the State; increased accountability for juvenile offenders; expanded after school programs; and a Character Education initiative that helps parents teach children learn right from wrong, respect and personal responsibility; and

WHEREAS, Recent events have reinforced the need to develop internal safety features that prevent the unintentional and criminal misuse of handguns by children and other unauthorized users.

NOW, THEREFORE, I, PARRIS N. GLENDENING, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Immediate Action Items.

(1) To ensure the safety of the children of Maryland, all State law enforcement officers shall be provided a locking device which shall render their issued handguns inoperable while stored in the home;

(2) The Maryland State Police shall prepare and distribute to all State law enforcement agencies a policy governing the use of the issued locking device by each officer.

(3) The Maryland State Police shall offer to all local law enforcement agencies a copy of its handgun locking device policy to serve as a model.

B. *Established.* There is hereby a Governor's Task Force on Childproof Guns.

C. Membership and Procedures.

(1) The Task Force shall consist of up to 21 members, including:

(a) The Secretary of Public Safety and Correctional Services;

(b) The Secretary of Juvenile Justice;

(c) The Superintendent of the Maryland State Police;

(d) The Secretary of Health and Mental Hygiene;

(e) The Special Secretary for Children, Youth and Families; and

(f) Sixteen members appointed by the Governor, including:

i. Two members of the Senate nominated by the President of the Senate;

ii. Two members of the House of Delegates nominated by the Speaker of the House;

iii. Four members of the law enforcement community;

iv. A health care professional with experience in the treatment of gun-related injuries; and

v. Up to seven individuals with relevant experience, who may include representatives of advocacy organizations, religious groups, the education community, crime victims and their parents, as well as the general public.

(2) Members shall serve at the pleasure of the Governor.

(3) The Governor shall designate a Chair and two Vice Chairs from among the members of the Task Force.

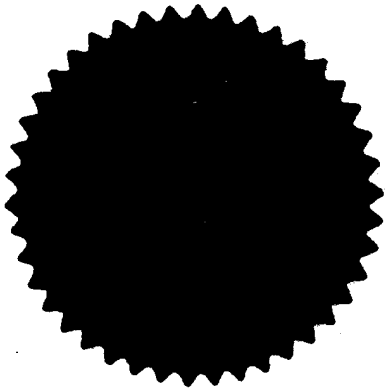
(4) The members of the Task Force may not receive any compensation for their services, but may receive reimbursement for reasonable expenses incurred in the performance of their duties in accordance with the State Standard Travel Regulations and as provided in the State budget.

(5) The Governor's Office of Legal Counsel and Office of Legislative Affairs shall provide lead staff support to the Task Force, with assistance as necessary being drawn from Executive Branch agencies.

D. Duties of the Task Force. The Task Force shall draft legislation to implement measures that prevent the unintentional and criminal misuse of handguns by children and other unauthorized users. These measures include but are not limited to design alterations and technological enhancements and necessary changes in law and regulation to support their implementation. In carrying out this responsibility, the Task Force may hold hearings to gather public comment and consult with interested agencies and organizations in the public and private sector.

E. Report. The Task Force shall submit its report and recommendations to the Governor on or before December 1, 1999.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 5th Day of June 1999.



Parris N. Glendening
Governor

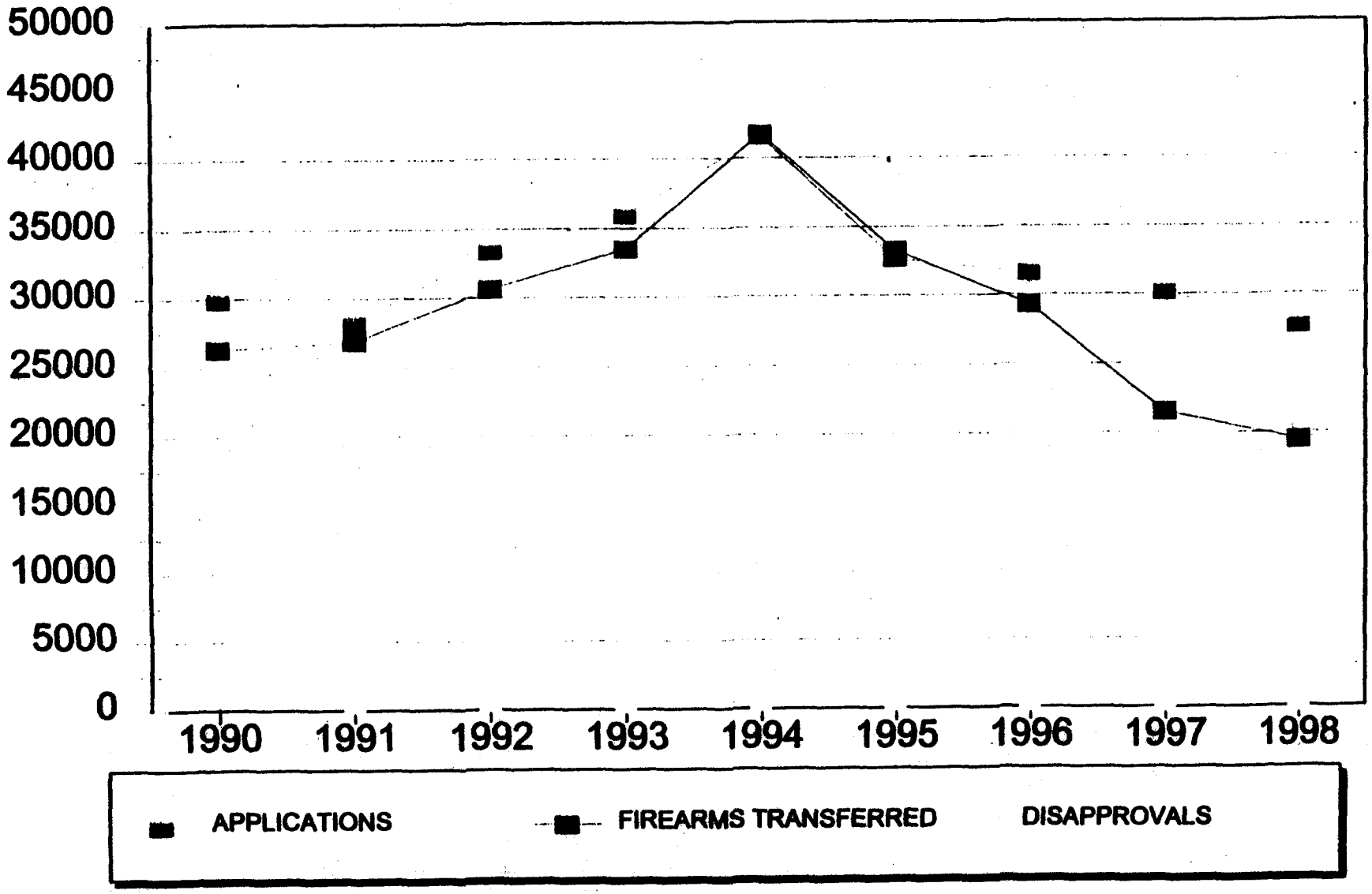
ATTEST:

John T. Willis
Secretary of State

Attachment 2

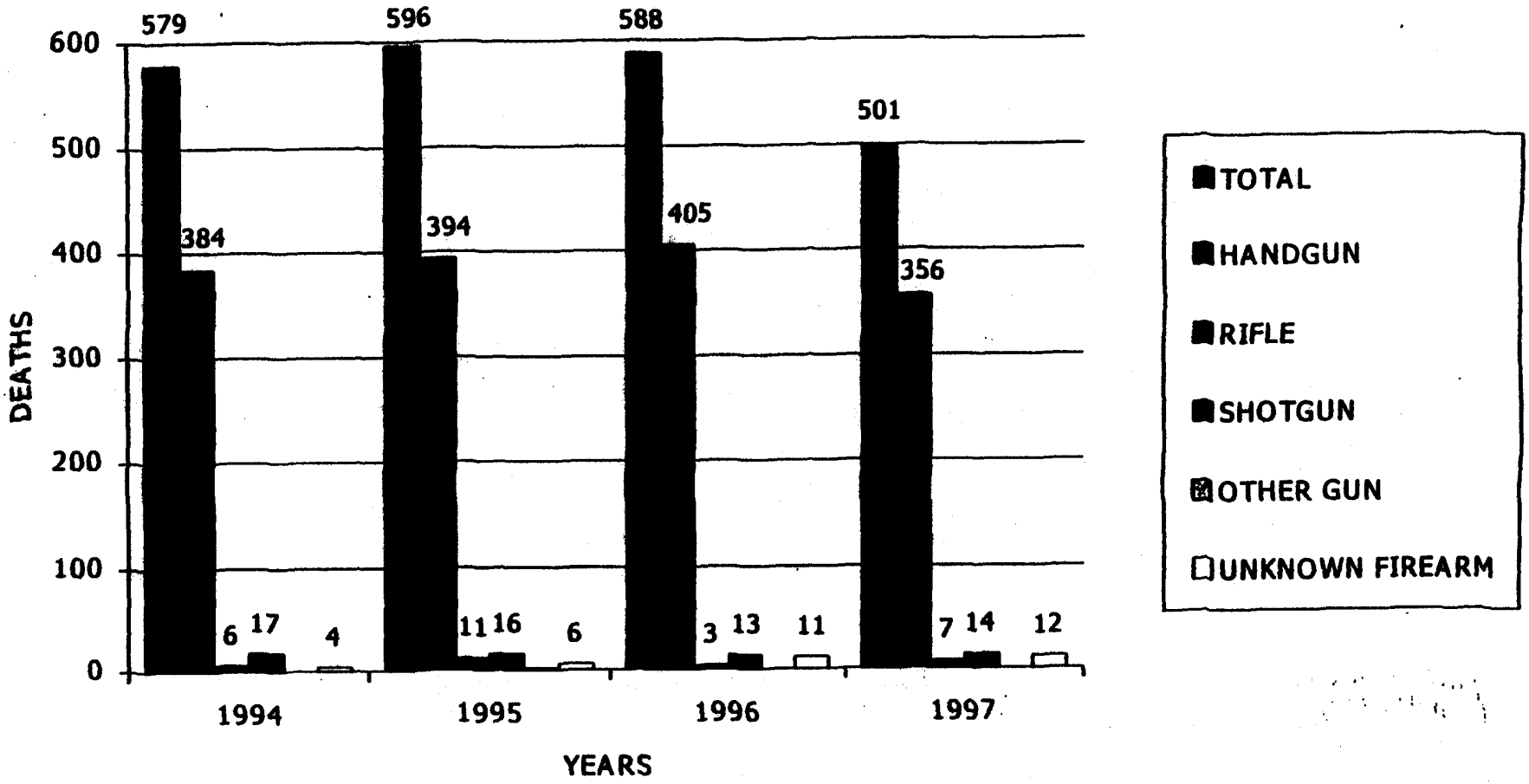
MARYLAND STATE POLICE

Firearm Transactions1990-1998

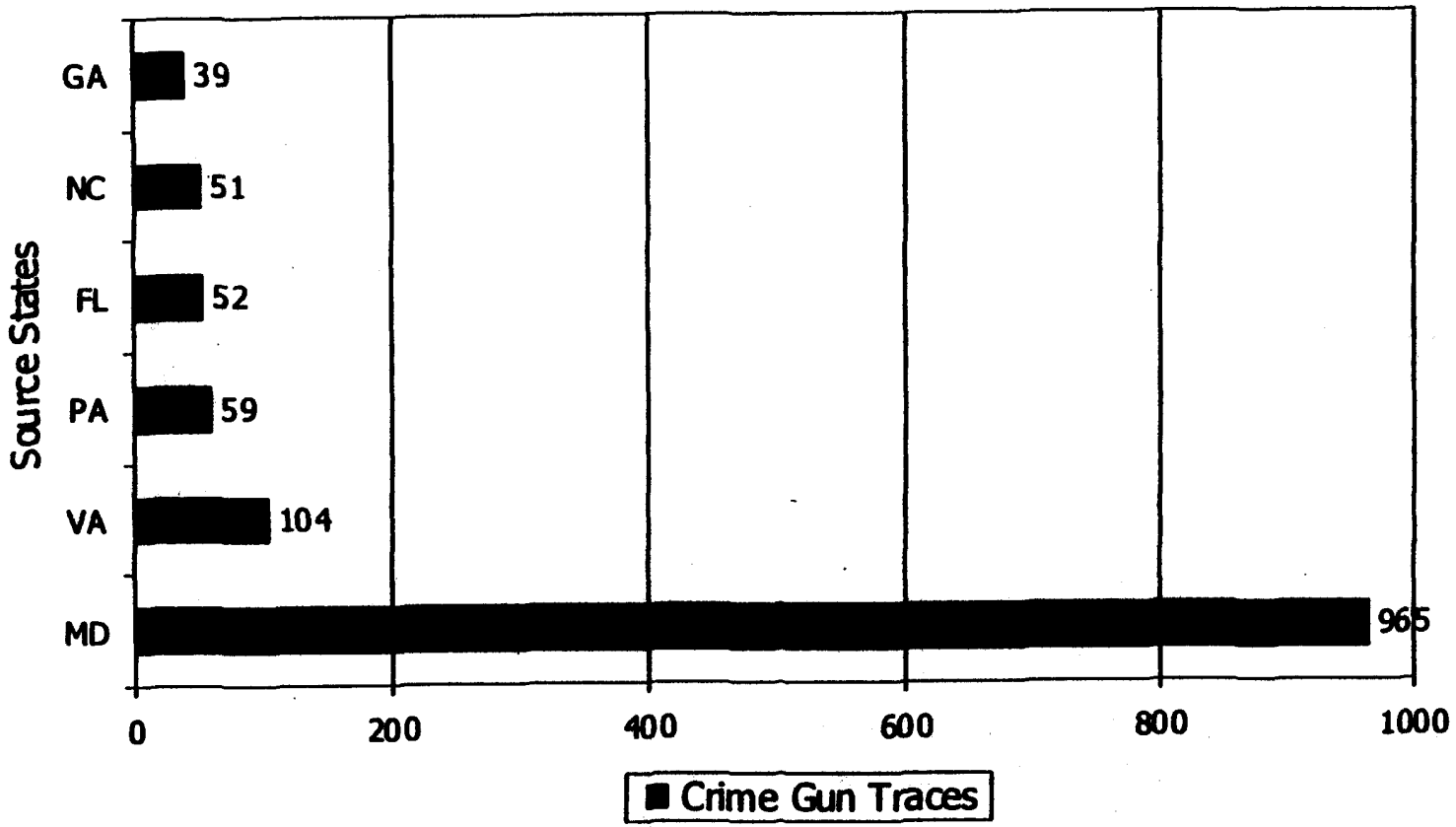


Attachment 2

Homicides By Firearm in MD



Sources of Baltimore's Crime Guns 8/1/97 - 7/31/98



Attachment 3

EDDIE EAGLE® PROGRAM

PROMOTE SAFETY WITH EDDIE EAGLE

- PURPOSE: To promote gun accident prevention for children in pre-K through sixth grade by teaching a simple safety message so they know what to do should they come upon an unsecured firearm: **STOP! Don't Touch. Leave the Area. Tell an Adult.** The program teaches children that guns are not toys, and makes no value judgement about whether guns are good or bad, but promotes safe behavior.

- Since its inception in 1988, The Eddie Eagle GunSafe Program has reached 12 million children through more than 20,000 law enforcement agencies, school systems and civic groups in all 50 states, Canada and Puerto Rico.

- Program creator and former NRA President Marion P. Hammer received the National Safety Council's 1993 *Citation for Outstanding Community Service* award. The Youth Activities Division of the National Safety Council awarded its 1996 silver *Award of Merit* to the Eddie Eagle Program for its efforts to "promote safety & health, save lives, lessen injury and reduce economic loss."

- The National School Public Relations Association presented the program with the *Golden Achievement Award* in 1994.

- The American Legion passed a resolution May 5, 1994 recognizing the importance of the Eddie Eagle Program, and encouraging its posts and departments to introduce the gun safety curriculum to elementary schools and law enforcement agencies. The American Legion's *National Education Award* was presented to the program in September 1995, commending the NRA for taking an active role in the prevention of accidents involving children and firearms.

- The American Legion's Child Welfare Foundation awarded the program a $25,000 grant to assist law enforcement in teaching Eddie Eagle's vital safety message.

- The National Association of School Safety and Law Enforcement Officers passed a resolution endorsing "gun safety education for children that is promoted through the Eddie Eagle GunSafe Program" and found "[the program] effectively teaches youngsters what to do if they encounter a firearm."

- The legislatures of Alaska, Delaware, Florida, Georgia, Idaho, Kansas, Maryland, Missouri, Nevada, New Hampshire, New Mexico, Oregon, Pennsylvania, Tennessee, Texas, Vermont, Virginia, Washington and West Virginia passed resolutions recommending the use of the Eddie Eagle Program. North Carolina's General Assembly enacted a bill recognizing the importance of Eddie Eagle. The program also received recognition from the governors of Alabama, California, Florida, Idaho, Indiana, Iowa, Kentucky, Louisiana, Massachusetts, Michigan, Mississippi, Nebraska, New Jersey, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Utah, Virginia, West Virginia and Wisconsin.

- At the request of Attorney General Janet Reno, the Office of Juvenile Justice and Delinquency Prevention (within the U.S. Department of Justice) reviewed more than 400 programs to include in their report entitled *Promising Strategies to Reduce Gun Violence*. The Eddie Eagle Program was one of only 60 selected and is listed as an outstanding education initiative and alternative strategy for prevention.

8/99

National Rifle Association
11250 Waples Mill Road • Fairfax, VA 22030 • Phone (800) 231.0752 • Fax (703) 267.3993

Attachment 4

SAF T LOK

Law Enforcement Agencies Currently Using Saf T Lok® Gun Locks

Attachment 4

Boston Police Department, Boston, MA
Carbondale Police Department, Carbondale, CO
Dothan Police Department, Dothan, AL
Evans Police Department, Angola, NY
Cumberland County Sheriffs Department, Fayetteville, NC
Garwood Police Department, Garwood, NJ
Glouster Police Department, Glouster, MA
Harnett County Sheriff's Department, Lillington, NC
Harvard University Police & Security, Cambridge, MA
Key Biscayne Police Department, Key Biscayne, FL
Logan Police Department, Logan, UT
Los Angeles Unified School District Police, Los Angeles, CA
Macomb Police Department, Macomb, IL
Miami Springs Police Department, *Miami Springs*, FL
Navajo Nation Department of Public Safety, Window Rock, AZ
Niles Police Department, Niles, IL
North Carolina State Highway Patrol, Raleigh, NC
Oaklawn Police Department, Oaklawn, IL
Orland Park Police Department, Orland Park, IL
Owen County Sheriffs Department, Spencer, IL
Palm Beach County Sheriffs Department, West Palm Beach, FL
Palmetto Police Department, Palmetto, FL
Southern Pines Police Dept., Richmond, VA
Springfield Police Department, Springfield, NJ
Sullivan County Sheriffs Department, Sullivan, IN
U.S. Customs, Washington, DC
U.S. Immigration & Naturalization Service, Altoona, PA
U.S. Marshals, Boston, MA
U.S. Nuclear Regulatory Commission, IG's Ofc, Washington, DC

11/1/99

Attachment 5

Safe Schools Initiative

(Prepared by the Office of Lt. Governor Kathleen Kennedy Townsend)

A quality education is critical for the success of our youth. In order to reach the highest academic standards, our schools must be safe havens from the fear of violence and the temptations of drugs and gangs. They must be places where teachers can teach and students can learn, uninterrupted by any student bent on disruption.

Ensuring school safety has been a top priority of the Glendening-Townsend Administration. The Safe Schools strategy focuses on four components: increasing penalties for school-related crime, boosting school security, removing disruptive students and promoting order and respect. Some of the highlights of the strategy include: Spotlight in Schools, a Statewide Code of Discipline and Character Education.

In September 1998, Governor Glendening and Lt. Governor Townsend partnered with the Maryland State Department of Education and the Maryland State Teacher's Association to host a Safe Schools Conference attended by school-community teams from across Maryland. As a follow up to the conference, Lt. Governor Townsend, along with State Superintendent Nancy S. Grasmick, created the Safe Schools Interagency Steering Committee to assist in the implementation of new interagency safe school efforts and to enhance the current safe schools strategy.

To bolster the current strategy, the Safe Schools Interagency Steering Committee currently is focusing on three main areas: (1) safe school solutions through youth leadership, (2) increased partnerships between mental health providers and schools to increase student access to mental health services and (3) improved crisis response for schools and communities through systemwide crisis plans, a safe schools tip hotline and a uniform incident reporting system to help shape strategies to meet needs of a particular school and school system. The Steering Committee will issue an annual report detailing safe school efforts in January 2000.

Attachment 6

Summary of the State's Efforts to Combat Gun Violence
Prepared by the Office of Lt. Governor Kathleen Kennedy Townsend

In April 1995, the Maryland State Police began heightened enforcement of existing firearm laws and regulations through the MSP "Cease Fire" gun enforcement unit, the first gun enforcement unit in the United States with statewide enforcement and oversight responsibilities. The unit has seized thousands of illegal firearms, including assault weapons, and shut down numerous illegal traffickers, including one gun store in Prince George's County responsible for selling the guns used in 11 separate murders.

Another significant gun control measure is the Gun Violence Act of 1996. By limiting handgun sales to one per month and prohibiting so-called "straw purchases," the Act cut off a significant source of guns to criminals. In the first year following enactment of the Administration's gun law, the number of guns obtained through multiple purchases decreased from 7,569 to 1,618, an 80 percent reduction. It is precisely these guns sold through multiple purchases that are most likely to wind up in the hands of criminals, gang members and juveniles.

In 1998, Lt. Governor Townsend along with MSP Superintendent Col. David B. Mitchell joined President Clinton at the White House to launch a statewide Gun Enforcement Initiative. That initiative, created by Executive Order, established an Office of Crime Gun Enforcement with the MSP, assigned a full-time liaison to the Federal Bureau of Alcohol, Tobacco and Firearms National Tracing Center, and began work with local law enforcement agencies across the State to establish universal tracing and ballistics testing of every gun seized by law enforcement in Maryland.

The United States Attorney's Office for the District of Maryland is an invaluable partner in the State's law enforcement efforts, particularly with respect to repeat offenders subject to federal criminal jurisdiction. Similar to Project Exile, adopted in 1997 in Richmond, Virginia, Project DISARM, which began in 1994, targets repeat felons found in possession of a gun with life imprisonment and mandatory minimum sentences, including a minimum 15-year sentence for gun possession related to three prior felonies. U.S. Attorney Lynne A. Battaglia has expanded this enhanced prosecution program from Baltimore City to include several other local jurisdictions in Maryland. Since the program's inception, the U.S. Attorney's Office reviewed 250 cases, and convicted offenders were sentenced to an average of 8.3 years in federal prison.

In addition to these gun-specific initiatives, the State has implemented a comprehensive and balanced strategy to reduce gun violence. This strategy encompasses a wide range of initiatives: 4,500 more State prison and jail beds to house criminals who use guns; targeting of 36 high-crime Hot Spot Communities across the State; increased accountability for juvenile offenders; expanded after school programs; and a Character Education initiative that helps students learn right from wrong.

Attachment 7

Office of the Chief Medical Examiner
State of Maryland

Pediatric Firearm Deaths in Maryland 1990-1998

A review of Firearm related deaths for the 10 years ending 31st December 1998.

Under the law of the State of Maryland, the Office of the Chief Medical Examiner is required to investigate all deaths that are sudden, unexpected or are the result of any injury. The O.C.M.E. there fore investigates all deaths of individuals who die in Maryland due to firearm related injuries.

For the 9-year period January 1990 - December 1998 the Office of the Chief Medical Examiner determined that 6401 persons in the State of Maryland died as a result of injuries received from firearms. Of these, 1164 were under 21 years of age and 654 were 18 years or younger. The average number of children (18 years and younger) dying from firearm injuries each year is 73 (72,7).

Definitions of:
Homicide - Causing another person death either intentionally or by gross negligence. (No criminal intent is implied.)
Accidental Death - Death results inadvertently where no harm was intended. (An unexpected and unforeseen event)
Suicide - Death resulting from a purposeful action intended to result in ones own demise

For the 18 year olds and younger group:
The total number determined to be homicides by firearm for the 9-year period is 527. This is 71% of all homicides in this age group for this period.

There were 96 deaths certified as suicide by firearm in this age group for the same period. This is 56% of all suicides in this age group.

There were 9 deaths certified as accidental due to firearms during this period, in the same age group, for the 9 years reviewed.

In the 0-6 year old group firearms caused 18 deaths over the 9 years. Likewise the 7-12 year olds suffered 25 fatalities, and the 13-18 year-olds 611 fatalities.

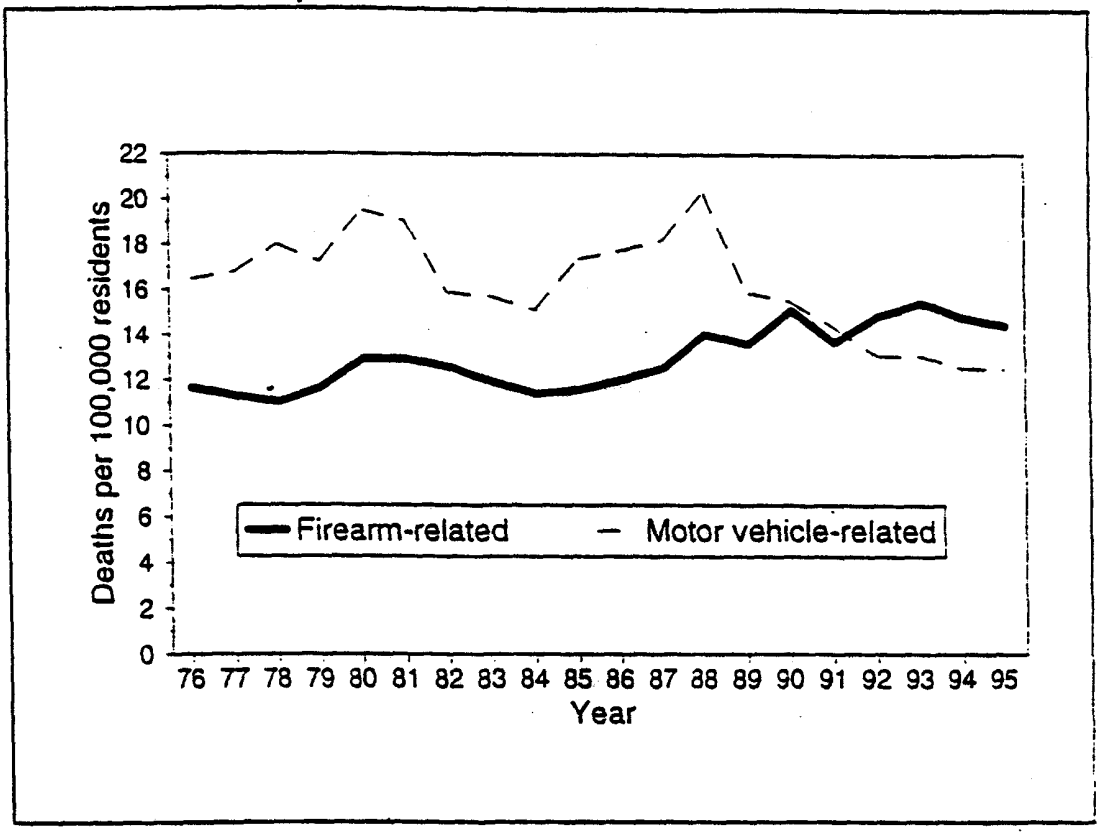
For 1999 in the under 18 age group to date there have been 51 deaths due to firearms: 1 accidental, 8 suicide and 42 homicide.
The following graph summarizes the numbers of deaths due to firearms by manner of death for the 9 years, and the next graph shows the number of deaths by year in the 13-18 age group.

David R Fowler MD.
Deputy Chief Medical Examiner

Attachment 8

A. Overall trends in firearm-related deaths

Figure 1. Death rates (per 100,000 residents) for motor vehicle-related injuries and firearm-related injuries: 1976-1995



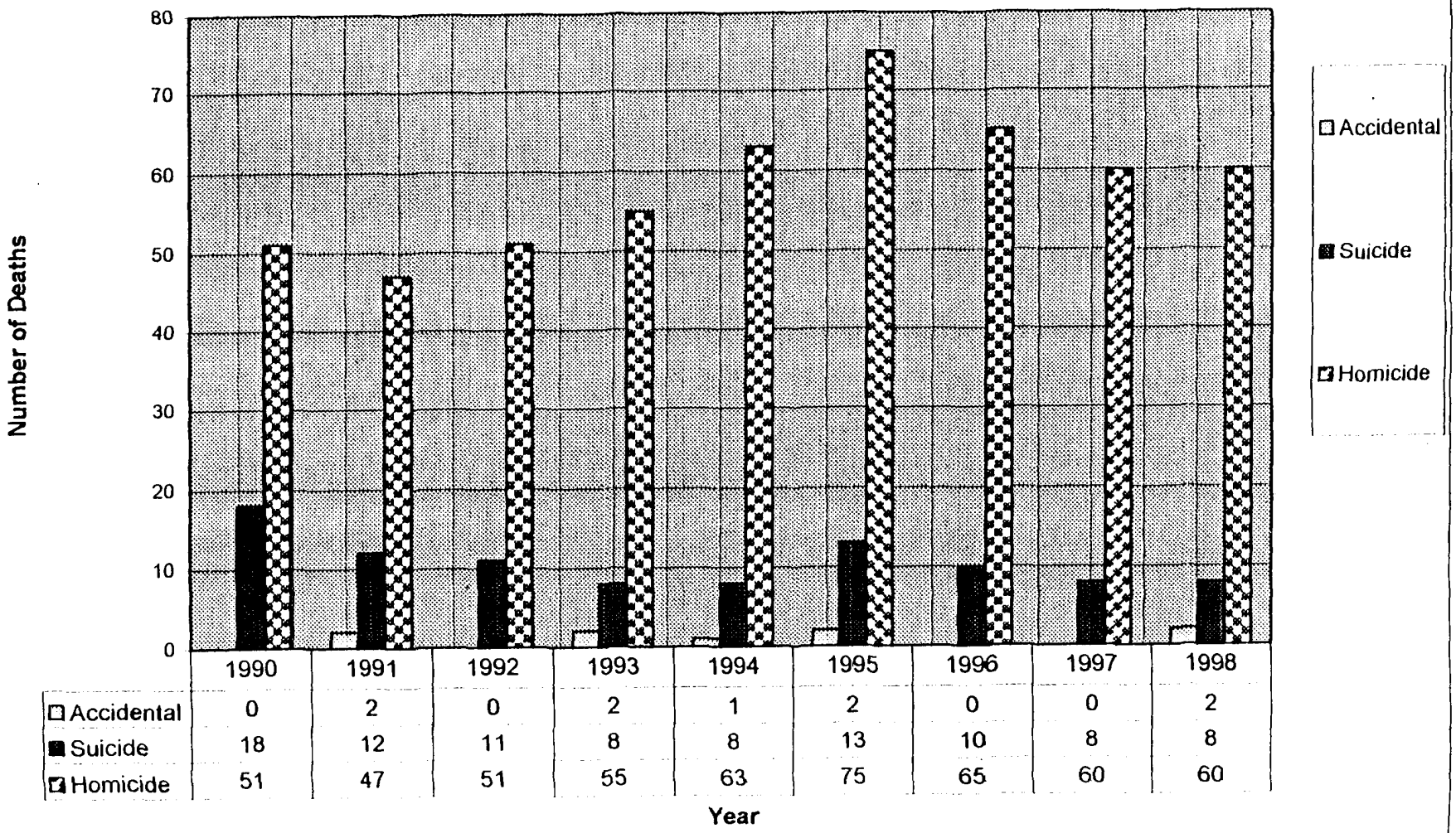
Source: Maryland Department of Health and Mental Hygiene, Division of Health Statistics and the Maryland Firearm-Related Injury Surveillance System (deaths); U.S. Bureau of the Census (population)

Table 1. Deaths from firearm-related injuries, according to manner of death: 1991-1996

Manner of Death	1991	1992	1993	1994	1995	1996
Homicide	390	455	481	432	455	453
Suicide	266	264	271	300	262	267
Unintentional	4	2	4	3	3	2
Intention Undetermined	12	13	11	5	7	12
Total	672	734	767	740	727	734

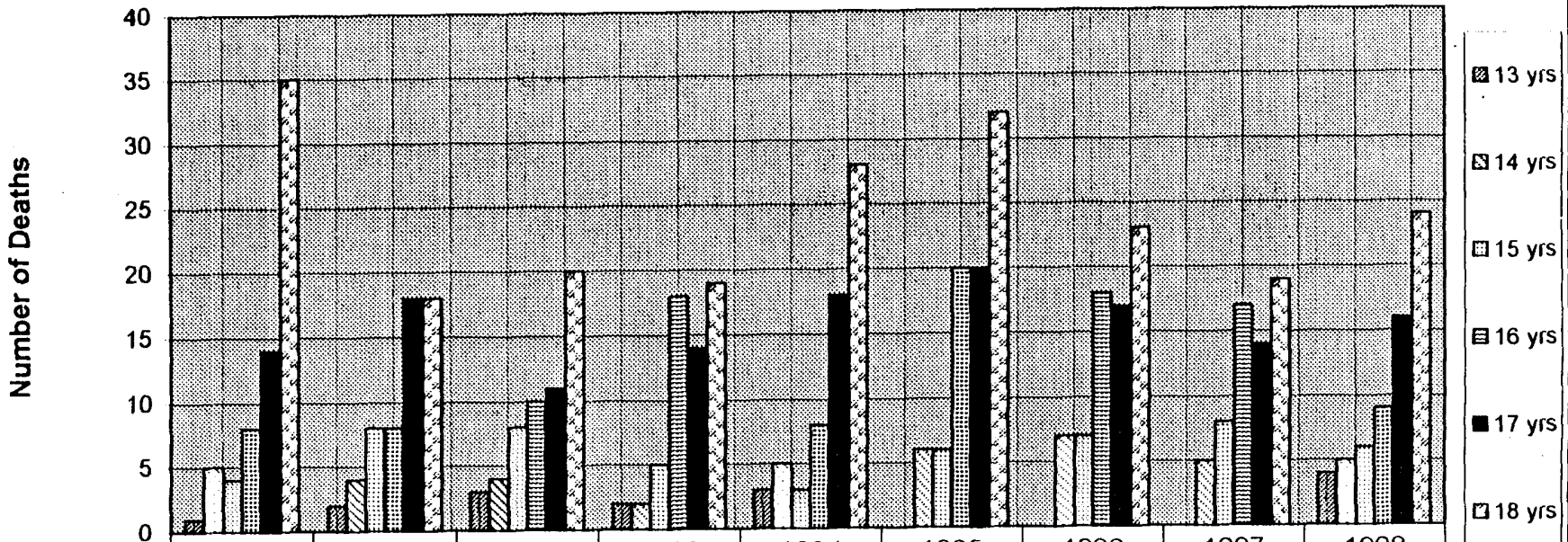
Source: Office of the Chief Medical Examiner and the Maryland Firearm-Related Injury Surveillance System.

Firearm Deaths by Manner in 18 Year Olds and Under



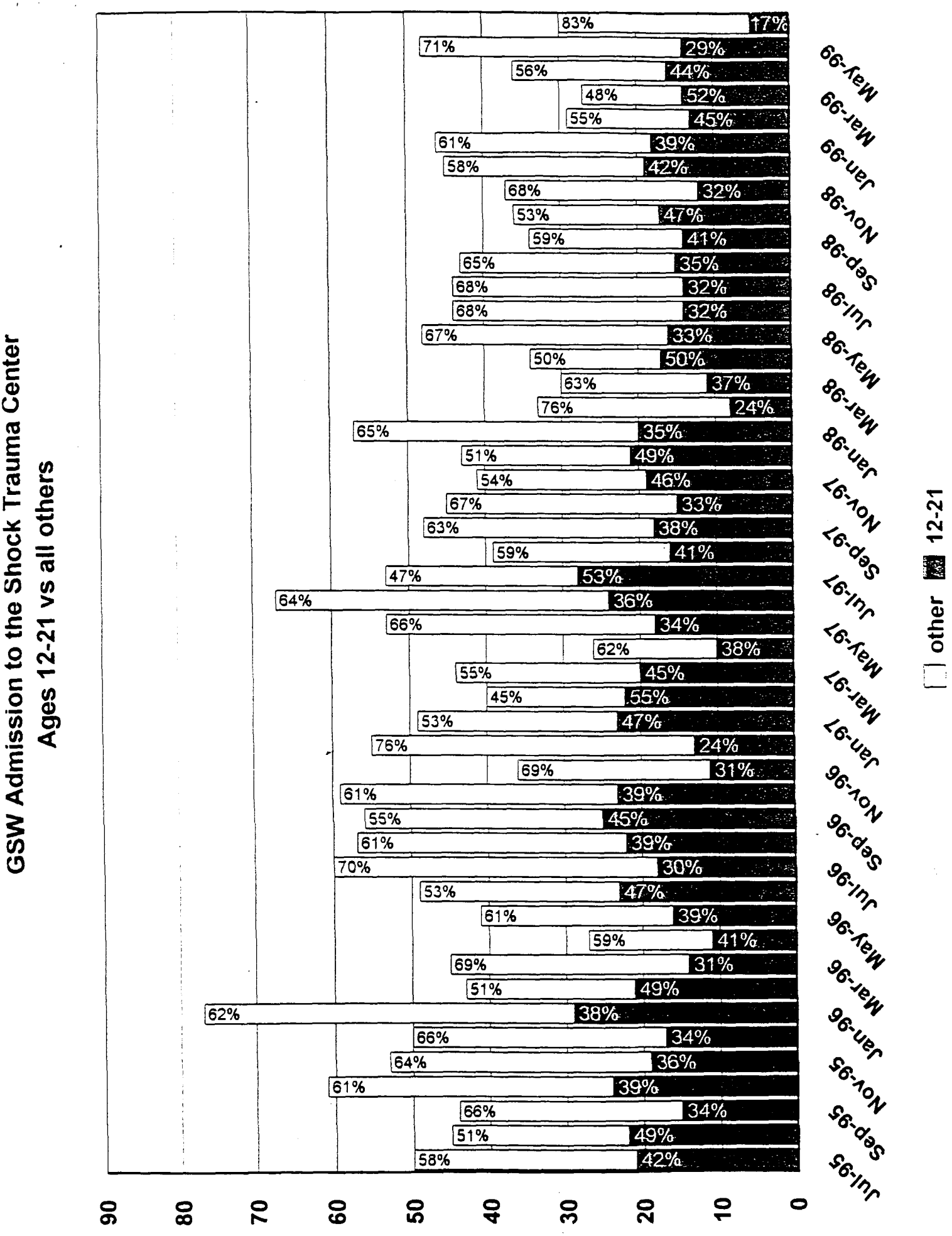
	1990	1991	1992	1993	1994	1995	1996	1997	1998
Accidental	0	2	0	2	1	2	0	0	2
Suicide	18	12	11	8	8	13	10	8	8
Homicide	51	47	51	55	63	75	65	60	60

Firearm Deaths by Age



	1990	1991	1992	1993	1994	1995	1996	1997	1998
13 yrs	1	2	3	2	3	0	0	0	4
14 yrs	5	4	4	2	5	6	7	5	5
15 yrs	4	8	8	5	3	6	7	8	6
16 yrs	8	8	10	18	8	20	18	17	9
17 yrs	14	18	11	14	18	20	17	14	16
18 yrs	35	18	20	19	28	32	23	19	24

Year


GSW Admission to the Shock Trauma Center
Ages 12-21 vs all others
other
12-21
90
80
70
60
50
40
30
20
10
0
May-99
Mar-99
Jan-99
Nov-98
Sep-98
Jul-98
May-98
Mar-98
Jan-98
Nov-97
Sep-97
Jul-97
May-97
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Sep-95
Jul-95
83% 17%
71% 29%
56% 44%
48% 52%
55% 45%
61% 39%
58% 42%
68% 32%
53% 47%
59% 41%
65% 35%
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63% 37%
76% 24%
65% 35%
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62% 38%
55% 45%
45% 55%
53% 47%
76% 24%
69% 31%
61% 39%
55% 45%
61% 39%
70% 30%
53% 47%
61% 39%
59% 41%
69% 31%
51% 49%
62% 38%
66% 34%
64% 36%
61% 39%
66% 34%
51% 49%
58% 42%

FSW Admission to the Shock Trauma Center

[illegible]

FY-96 to FY-99

		Ages									
Date	Total	12	13	14	15	16	17	18	19	20	21
95/7	21			1	1	2	4	3	5	1	4
95/8	22	1	1	1	2	3	4	5	2	2	1
95/9	15			1	1	3	1	2	3		4
95/10	24				2	4	2	4	5	3	4
95/11	19	1			1	4		3	6	3	1
95/12	17				1	3	2	2	6	1	2
96/1	29		1	2	2	3	1	8	3	5	4
96/2	21			1	1	2	4	5	2	5	1
96/3	14			1		1	3	1	3	2	3
96/4	11					1	2	1	3	1	3
96/5	16					1	5	4	2	1	3
96/6	23			1	2		4	5	4	4	3
FY96	232	2	2	8	13	27	32	43	44	28	33
96/7	18				2	2	5	4	1	1	3
96/8	22				1	5	3	2	2	8	1
96/9	25		1			2	3	3	7	5	4
96/10	23		1	1	2	3	3	6	3	3	1
96/11	11			1		2		1	4	2	1
96/12	13					1	3		4	4	1
97/1	23				4	1	1	5	6	6	
97/2	22					4	2	7	4	4	1
97/3	20				2	4	3	4	1	3	3
97/4	10		1			1	2	2	2	2	
97/5	18		1		2	1	2	1	7	3	1
97/6	24			1	3	4	2	2	2	6	4
FY97	229	0	4	3	16	30	29	37	45	47	20
97/7	28		3	1	2	4	5	2	3	3	5
97/8	16				1	1	3	4		4	3
97/9	18			1		1	2	5	4	4	1
97/10	15					2	1	3	4	3	2
97/11	19					2	4	6	4	3	
97/12	21		1		2	3	1	6	3	4	1
98/1	20			1	1	2	2	3	3	3	5
98/2	8			1	1			2	1	1	2
98/3	11					2	1	2	1	3	2
98/4	17				4	1	3	4	3	2	
98/5	16			2	1	1		1	4	4	3
98/6	14				1	1	1	4	2	3	2
FY98	205	0	4	6	13	20	23	42	32	37	26
98/7	14			1	2	2	3	1	2	2	1
98/8	15				1	1	2	3	3	3	2
98/9	14						3	2	2	6	1
98/10	17				2	1	3	4	2	4	1
98/11	12			1		2		2	2	4	1
98/12	19			3		2	2	2	4	2	4
99/1	18	1				1	7	2		5	2
99/2	13			1				3	6	2	1
99/3	14				1	1	4	2	3	2	1
99/4	16					1	1		2	7	5
99/5	14	1		2	1	1	3	1		1	4
99/6	5						3	1			1
FY99	[illegible]	2	0	[illegible]	[illegible]	12	31	[illegible]	26	38	24
Total	[illegible]	4	10	25	49	89	115	[illegible]	[illegible]	150	103

Attachment 9

Johns Hopkins Center for Gun Policy and Research
School of Public Health
624 N. Broadway
Baltimore, MD 21205-1996

Personalized Gun Technology: A Description of Existing Personalized Gun Technologies and Possible Applications of Existing Technologies to Firearms

Existing Personalized Gun Technologies

Magnetic Lock (Magloc, Magna-Trigger)

Magloc®

Description: The Magloc is a grip-mounted internal trigger block that uses a magnetic ring to release a blocking device inside the grip. A magnet inside of the grip is positioned to match the ring worn by the authorized user. The user adjusts the location of the blocking magnet inside the grip to correspond to their hand holding pattern. When the gun is grasped by someone wearing the ring, a blocking device inside the grip moves away from its blocking position and frees a grip lever at the rear of the gun. Normal hand pressure can then depress the lever, unlocking the trigger bar for firing. If the gun is dropped or put down, the internal lock automatically reengages. A "ready to fire indicator," located near the index finger, sticks out from its resting position, allowing the user to feel or see that the system is working.

Availability: May be ordered directly from the manufacturer or through gun dealers. Current Magloc conversions are available for the Colt 1911A1. The companies have prototypes for the Beretta 92/96, Glock 22, and some Smith & Wesson guns but conversion kits are not yet available.

Cost: $69.50 for the Colt safety conversion kit; $5 for shipping; $35 for each additional ring.

Companies Involved: Smart Lock Technology Inc., 1160 Yew Avenue, Blaine, WA 98231, 604-551-8492; www.smartlock.com.

Advantages: The lock is always in the gun. No batteries or electronics are required.

Disadvantages: Not personalized to the authorized user (however, the Magloc has four combinations that can be obtained by changing the magnetic polarity of the blocking magnet and the location of the magnetic ring. Further combinations can be achieved by increasing or reducing the size of the blocking magnet). Not built into the gun – it has to be "converted" or retrofitted. There is an on/off switch located on the grip that can be set to the on position after Magloc has been activated; once the switch is set to the on position, anyone can fire the gun without wearing the magnetic ring until the switch is set back to the off position. If ring is accessible to unauthorized user, the gun will operate.

Magna-Trigger

Description: The Magna-Trigger is an after-market device that can be used to retrofit certain revolvers – all Smith & Wesson J, K, L and N frame guns and the Ruger Security Six revolver. A magnetic lock is installed inside the grip of the gun. The authorized user wears a magnetic ring with an opposing magnet that releases the lock and allows the gun to fire.

Availability: The company advertises the device as being used by police since 1976. Consumers ship their guns to the company's New Hampshire office for retrofitting. Magna-Trigger will fit all Smith & Wesson J, K, L, and N frame guns as well as the Ruger Security Six (it will not work with some grip types).
Cost: $250 for the installation and conversion equipment; $40 for each ring; plus shipping costs.
Companies Involved: Tarnhelm Supply Co., Inc., 431 High Street, Boscawen NH, 03303, 603-796-2551, www.tarnhelm.com.
Advantages: The lock is always in the gun. No batteries or electronics are required and the device has only one moving part.
Disadvantages: The magnetic rings are not personalized to the user; all the magnetic rings allow firing of all modified guns. If ring is accessible to unauthorized user, the gun will operate. Not built into the gun – gun has to be "converted" or retrofitted.

Combination Locks (Intraloc, Saf T Lok)

Intraloc™

Description: Intraloc is pre-market technology built into the gun prior to retail sale. A microprocessor and a lithium battery powered push-button lock with three buttons, operable by the user's gun hand thumb, is incorporated into the gun handle. When the correct code is punched in, a spring-loaded grip safety collapses, informing the user that the gun is operational. If dropped, taken away or put down, the gun automatically re-locks due to the spring-loaded action of the grip safety.
Availability: The company states that subject to adequate funding, production Intraloc guns could be available in about a year.
Cost: It is anticipated that Intraloc guns will be priced $200 more than a comparable, conventional gun.
Companies Involved: Intraloc LLC, 1731 Colgate Cr., La Jolla, CA 92037, 858-459-9794.
Advantages: Technology is incorporated into the original manufacturing process. Automatically relocks. Personalized to user who knows combination. Adaptable to revolvers and pistols.
Disadvantages: Lithium battery would last more than three years with infrequent use, but would eventually need replacement.

Saf T Lok™

Description: Saf T Lok is a gun locking device that can be retrofitted into the grip or magazine of the firearm. It is currently sold as an after-market device but can be incorporated into the original manufacturing process. When used in a revolver, the device is mounted into the grip and blocks operation of the gun unless a user enters a preset three-digit combination by depressing a row of three metal tabs the appropriate number of times. When used in a pistol, the Saf T Lok attaches to the base of the ammunition magazine. The lock must be reset after the lock is disengaged but the company states that they can make the lock automatically reactivate. Saf-T-Lok is currently working with Smart Links, a micro power, micro chip producer, to design a device that would incorporate the Saf-T- Lok mechanical system with radio frequency technology or fingerprint technology.
Availability: The original Saf T Lok (which does not include the fingerprint or radio frequency technology) is currently available for 75% of all guns made.

Cost: The revolver locks sell for $69.95, the pistol locks for $89.95. It is estimated that it would cost $225 to retrofit a gun with a Saf T Lok combined with fingerprint or radio frequency technology. The cost is estimated at $100 if the Saf T Lok and radio frequency or fingerprint technologies were incorporated into the original manufacturing process.
Companies Involved: Saf T Lok, Incorporated,1101 Northpoint Parkway, West Palm Beach, FL, 33407, 800-SafTLok, 561-478-5625, www.saf-t-lok.com.
Advantages: Personalized to user who knows combination. Can be incorporated into the original manufacturing process. Retrofit can be performed by user. No batteries required. Can be used in revolvers as well as pistols.
Disadvantages: Presently, lock does not automatically reset, but can be made to do so by company. Currently not incorporated into the original manufacturing process; must be purchased as an add-on.

Electromagnetic Lock (Smart Gun)

Smart Gun

Description: The grip of the Smart Gun (officially trademarked with that name) includes an internal device that prevents the gun from firing without a correctly positioned magnetic ring. When the gun detects the correct magnetic field emitted from the magnetic ring worn by the user, the gun's internal lock is released and the trigger can be pulled. The gun automatically relocks when the ring is not present. The magnetic ring can be personalized to the authorized user.
Availability: Fulton Arms, the company that has developed the Smart Gun technology, has working production prototypes of the Smart Gun. The technology can be used with several models of revolvers, pistols, shotguns, and rifles. Fulton Arms is working with several gun manufacturers to bring the gun to production and it is anticipated that Smart Guns will be available very soon.
Cost: It is estimated that the additional production cost for the manufacture of a Smart Gun will be less than $150.
Companies Involved: Fulton Arms Inc., 4950 FM 1960 West, Suite A7281, PMB#281, Houston, TX 77069, 281-440-9199.
Advantages: Technology is incorporated into the original manufacturing process. Automatically relocks. Ring is personalized to authorized user. The battery is expected to last the lifetime of the gun; circuitry in the gun conserves the battery.
Disadvantages: If the ring is accessible to unauthorized user, the gun will operate.

Radio Lock (Radio Frequency Controlled Handgun)

Radio Frequency Controlled Handgun

Description: With funding from a National Institute of Justice (NIJ) grant, Colt's Manufacturing, Inc. contracted with Smart:Links, a producer of micro power micro chips, to produce the electronics communications system for a radio frequency controlled handgun. Prototypes of the handgun have been developed for use by law enforcement. The authorized user wears a transponder bearing a unique code. The transponder can be imbedded in a ring, wristwatch, wristband, lapel pin or badge. The firearms transmits low power radio signals to the transponder (the grip contains a battery and microchip), which in turn notifies the firearm of its

presence. If the transponder code is one that has previously been entered into the firearm and is in a specified distance from the gun, the firearm recognizes it, the trigger can pull back and the gun can fire. The gun can be programmed to recognize many different transponder codes. For additional security, the prototype also contains a manual safety override based on a PIN code system (a pass code is entered by pushing three buttons located under the trigger guard) that will override the radio frequency system when the watch, ring etc. is not present.
Availability: NIJ is scheduled to field test the Colt's Manufacturing prototype at local police academies. It is unclear when these test will take place and when the prototypes will be in production. Smart:Links is no longer working with Colt's Manufacturing on the project. They are negotiating with other gun manufacturers who are interested in developing the technology further.
Cost: According to Smart:Links, the technology adds $50-100 to the cost of manufacturing a handgun. Colt's has estimated that the radio frequency technology is expected to add $300 to $400 to the retail price of the gun when it is initially introduced.
Companies Involved: Smart:Links, 217 Gravatt Drive, Berkeley, CA 94705, 510-649-7778, www.smartlinks.net. Colt's Manufacturing Inc., P.O. Box 1868, Hartford, CT 06144-1868, 860-236-6311.
Advantages: Technology is incorporated into the original manufacturing process. Automatically relocks. Transponder is personalized to authorized user.
Disadvantages: Signal interference is possible.
Note: This is the handgun that Colt's intends to produce for police use. Colt's intends to produce a personalized handgun using different technology for civilian use.

Fingerprint Technology

Description: Oxford Micro Devices, Inc., is developing low cost, miniature fingerprint capture and verification systems that can be built into the handle of guns and other devices to quickly capture and recognize a person's fingerprints. Only persons whose fingerprints match those of authorized users would be able to fire a gun employing one of these systems. A single gun could be operated by more than one person if desired, and the fingerprints could be changed if needed at a gun shop or weapons depot. The system combines Oxford's high-speed A336 image processor chip with a tiny fingerprint sensor, a small memory chip for storing the fingerprints, the software to operate the A336 chip and an intuitive human interface so that the gun could be used quickly and easily, without the user having to remember that the fingerprint technology is there.
Availability: Oxford Micro Devices is a semiconductor company, not a gun company or a gun chip company. Oxford requires external financial support to continue its work on the use of its technology in guns. Oxford has established SaferGunsNow.org as a not-for-profit organization to help raise the funding to bring childproof gun technology to market quickly. With sufficient outside funding, Oxford believes that a feasibility model of a practical, fingerprint-enabled safer gun could be developed in a year's time with production a year later.
Cost: Oxford forecasts that in production, the retail price of a fingerprint-enabled safer gun would be only about $100 more than the cost of high quality handguns.

Companies Involved: Oxford Micro Devices, Lantern Ridge Office Park; 731 Main Street, Bldg. 2, Suite B3, Monroe, CT 06468, 203-445-0562, www.oxfordmicrodevices.com.
Advantages: Technology is incorporated into the original manufacturing process. Automatically relocks. Gun is personalized to authorized user(s). If an optical fingerprint sensor and gloves with a clear or removed fingertip are used, then the gun can be fired while wearing gloves.
Disadvantages: May not be operable while wearing gloves.

Possible Applications of Existing Technologies to Firearm

Biometrics

Biometrics is a term used to describe technology that relies on unique features of the human body for securing access. Fingerprint identification technology is one type of biometric application, as described above. In addition to Oxford Micro Devices (see above), the Siemens Corporation, (1301 Avenue of the Americas, NY, NY 10019, 212-258-4000, www.siemens.com) and SenSecure, Inc. (950 S. Old Woodward, Ste.220, Birmingham, MI 48009) have developed fingerprint technology. While fingerprint identification is generally regarded as the most suitable type of biometric identification for the personalization of guns, face and voice recognition, hand geometry, and retinal scans are examples of other biometric technology that is currently in use for other products and/or under development.

Remote Technology

Access to locked areas may be controlled by sensors that identify authorized users by the presence of a transponder. One example of this type of technology is the radio frequency handgun developed by Colt's Manufacturing and Smart:Links. Other types of remote technology are currently being used on several of America's highways to account for individuals' use of toll roads.

Touch Technology

Touch technology is a broad term that applies to mechanisms which require contact between two surfaces to access a secure device or area. Magnetic touch technology is one personalization option that is currently available for guns, as described in the first section of this summary paper. Other types of touch technology rely on pre-programmed computer chips which, when in contact with a matching sensor, permit access. Examples of this chip touch technology that are currently in place include: security systems for cars, and controlled access to buildings or building floors.

Please note that this document is not offered as a complete list of existing and potential personalized gun technologies. The Center continues to update this information as it learns of additional technologies and research.

10/99

Established in 1995 with funding from The Joyce Foundation of Chicago, The Johns Hopkins Center for Gun Policy and Research is dedicated to reducing gun violence. The Center provides accurate information on firearm injuries and gun policy; develops, analyzes, and evaluates strategies to prevent firearm injuries; and conducts public health and legal research to identify gun policy needs.

Attachment 10

Annotated Code of Maryland
Article 27

§ 36K. Access to firearms by minors.

(a) *Definitions.* — (1) In this section the following words have the meanings indicated.

(2) (i) "Firearm" means a pistol, revolver, rifle, shotgun, short-barreled rifle, short-barreled shotgun, or any other firearm.

(ii) "Firearm" does not include antique firearms as defined in § 36F of this article.

(3) "Minor" means an individual under the age of 16.

(4) "Ammunition" means any ammunition cartridge, shell or other device containing explosive or incendiary material designed and intended for use in a firearm.

(b) *Prohibited acts.* — Except as provided in this section, an individual may not store or leave a loaded firearm in any location where the individual knew or should have known that an unsupervised minor would gain access to the firearm.

(c) *Applicability.* — This section does not apply if:

(1) A minor's access to a firearm is supervised by a person 18 years old or older;

(2) A minor's access to a firearm was obtained as a result of an unlawful entry;

(3) A firearm is in the possession or control of a law enforcement officer while the officer is engaged in official duties; or

(4) A minor has a certificate of firearm and hunter safety as set forth in § 10-301.1 of the Natural Resources Article.

(d) *Effect of violation.* — (1) A violation of this section may not:

(i) Be considered evidence of negligence;

(ii) Be considered evidence of contributory negligence;

(iii) Limit liability of a party or an insurer; or

(iv) Diminish recovery for damages arising out of the ownership, maintenance, or operation of a firearm or ammunition.

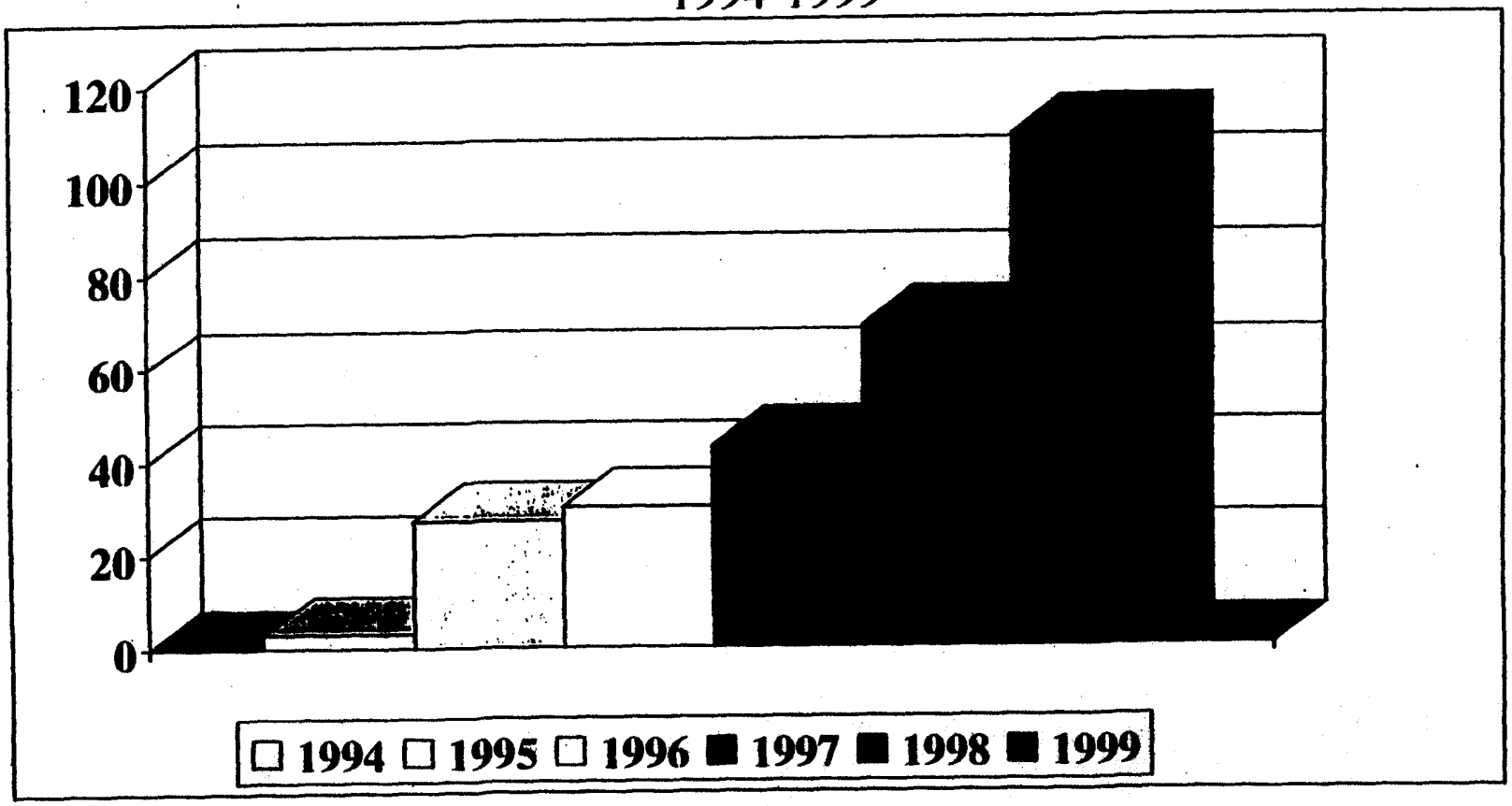
(2) A party, witness, or counsel may not make reference to a violation of this section during a trial of a civil action that involves property damage, personal injury, or death.

(e) *Penalty.* — Any person who violates this section is guilty of a misdemeanor and upon conviction shall be fined not more than $1,000. (1992, ch. 439.)

Attachment 11

DISARM PROGRAM

Northern District of Maryland
1994-1999



Cases Authorized for Federal Prosecution

Attachment 11